

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 MARK ROBERT QUIROZ,) No. C 11-0016 LHK (PR)
12 Plaintiff,) ORDER ADDRESSING PENDING
13 v.) MOTIONS
14) (Docket Nos. 159, 160, 161, 164)
15 ROBERT A. HOREL, et al.,)
16 Defendants.)
17

18 On January 4, 2011, Plaintiff, a state prisoner proceeding *pro se*, filed a civil rights
19 complaint pursuant to 42 U.S.C. § 1983. Upon initial screening, the Court partially dismissed
20 Plaintiff's complaint, and ordered it served upon named Defendants. Over one year later, on
21 March 8, 2012, Plaintiff filed a motion for leave to file an amended complaint. The Court
22 granted Plaintiff's motion. Thereafter, Defendant Short filed a motion to dismiss. On August 6,
23 2012, the Court granted in part and denied in part Defendant Short's motion to dismiss, and
24 ordered further briefing. Plaintiff has filed, *inter alia*, another motion for leave to amend, as well
25 as a proposed second amended complaint. All Defendants have filed a notice of non-opposition
26 to Plaintiff's request to file a second amended complaint. Under Federal Rule of Civil Procedure
27 15(a)(2), the Court GRANTS Plaintiff's motion for leave to file a second amended complaint.
28 (Docket No. 161.) The Clerk shall file Plaintiff's proposed second amended complaint. (Docket
No. 162.) So filed, the second amended complaint is now the operative complaint.

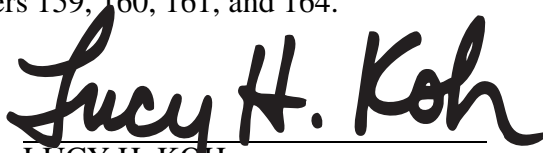
1 As such, the Court VACATES Defendants' deadlines for filing a dispositive motion. The
2 Court DENIES Plaintiff's motion for a Court order compelling prison officials to obtain
3 declarations as moot. (Docket No. 159.) Defendant Short's motion for an extension of time to
4 file a motion for summary judgment is DENIED as moot. (Docket No. 160.) Defendant Short's
5 motion to vacate the dispositive motion deadline is GRANTED. (Docket No. 164.)

6 The Court will screen Plaintiff's second amended complaint in a separate order. The
7 parties are advised that, due to the age of this case, the Court will only consider requests for an
8 extension of time which are supported by a showing of good cause.

9 This order terminates docket numbers 159, 160, 161, and 164.

10 IT IS SO ORDERED.

11 DATED: 11/6/12


LUCY H. KOH
United States District Judge